IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11309 of 2004

Between:

Tatikonda Venkata Rao,

S/o.Kotaiah, Aged about 54 years,

Occ:Agriculturist,

R/o.Jalalpuram Village,

Pedakurapadu Mandal, Guntur.

..... PETITIONER

AND

1 The District Collector, Guntur District, Guntur.
2 The Revenue Divisional Officer, Guntur Division, Guntur.
3 The Mandal Revenue Officer, Pedakurapadu Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction, declaring the action of the respondents in not disposing of petitioner's application by allotting to petitioner the land admeasuring 40ft x 60ft from Acre 0.08 cents in D.No. 203/B situated in the Jalalpuram Village, Pedakurapadu mandal, Guntur District as illegal, null and void and against the principles of natural justice.

Counsel for the Petitioner: MR.NARESH BYRAPANENI

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner, aggrieved by the inaction on the part of the respondents on the representation of the petitioner for allotment of eight links of land for the purpose of path out of eight cents of land in D.No.203/B of Jalalpuram Village, Pedakurapadu Mandal, Guntur district.

2. According to the petitioner, he is the absolute owner of Ac.0.07 cents of land in D.No.202 of the same village where he has constructed a R.C.C. house and residing therein. The grievance of the petitioner is that he is an agriculturist and the said house property does not have proper access from the main road in order to take out carts and other vehicles as well as agricultural equipments. Abutting the petitioner's land, there is an extent of Ac.0.08 cents of land in D.No.203/B belonging to Government which was shown as Satram (Choultry) as per the pahani of the village, though there are no structures. Therefore, according to the petitioner, a part of the said land can be assigned in his favour in order to provide free access from the main road to his house. Accordingly, a representation was made to the respondents seeking assignment of eight links width site out of Ac.0.08 cents in D.No.203/B at market value. But, the respondents did not take any action and on the other hand, the

petitioner apprehends that the land may be assigned to third parties thereby affecting his interest. Hence, the present writ petition.

3. Heard the learned counsel for the petitioner and Government Pleader for Revenue.

4. In view of the claim of the petitioner, especially the inconvenience of not having proper access from the main road to his house, it would be proper for the respondents to consider the claim of the petitioner for assigning/sale of eight links width site out of an extent land of Ac.0.08 cents in D.No.203/B for providing proper access to the petitioner's house. It is also the case of the petitioner that he has made the representation by marking copies to all the respondents.

5. Under the above circumstances, the first respondent-District Collector is directed to take appropriate steps for disposal of the representation of the petitioner either by himself or by giving suitable directions to his Subordinate Officers with reference to the claim of the petitioner for assigning/sale of eight links width of site out of an extent of Ac.0.08 cents in D.No.203/B of Jalalpuram Village, Pedakurapadu Mandal, Guntur District.

6. The said representation of the petitioner is directed to be disposed of expeditiously, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

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06.07.2004

Lsk/Vgb

To

1 The District Collector, Guntur District, Guntur.

2 The Revenue Divisional Officer, Guntur Division, Guntur.
3 The Mandal Revenue Officer, Pedakurapadu Mandal, Guntur District.

4 2CCs to the Govt. Pleader for Revenue, High Court Buildings, Hyderabad (OUT)

5 2CD copies.

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

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WRIT PETITION No.11309 of 2004.

Dated: 6th July, 2004